

EXHIBIT 4

Declaration of Marc Randazza

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10 Attorneys for Plaintiff
11 Scott Serio

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13 **UNITED STATES DISTRICT COURT**
14
DISTRICT OF NEVADA

15 SCOTT SERIO,
16 Plaintiff,
17 vs.
18 PREGAME LLC and
19 RANDALL JAMES BUSACK,
20 Defendants.

21 Case No. 2:21-cv-01940-JAD-NJK

22
23 **DECLARATION OF**
MARC J. RANDAZZA

24 I, MARC J. RANDAZZA, declare:

25 1. I am an attorney duly licensed to practice before this Court, and I am counsel for
26 Plaintiff SCOTT SERIO (“Serio”) in the above-captioned matter. I provide this Declaration in
support of the Response to the Court’s Order to Show Cause, filed herewith. I have personal
knowledge of the facts stated herein, and if called as a witness, I could and would testify
competently to the matters set forth herein.

27 2. I am counsel to Plaintiff Serio in this case, along with attorneys Trey Rothell and
Ronald D. Green.

3. I am the managing partner of Randazza Legal Group, PLLC (“RLG”). RLG has an
office located in Las Vegas, Nevada, and it employs four Nevada-licensed attorneys: myself,
Ronald D. Green, Alex J. Shepard, and Trey A. Rothell.

4. My office filed this action on October 20, 2022 for Serio. I was responsible for the engagement and to carry out supervisory responsibility of other attorneys in my firm.

5. I billed no time to the case, and Green was the partner in charge of the case.

6. Nevertheless, I did have a conversation with Attorney Rothell about the activity in the case, and Attorney Rothell kept me abreast of the developments in the case.

7. With the work of attorneys Green and Rothell, I had nothing to add and billed nothing to the file.

8. I believed that because the claim was quite simple, and Attorney Rothell, as a new attorney, would benefit from the opportunity to practice in this Court.

9. As a matter of allowing a young attorney to gain experience before this Court, Attorney Rothell accepted a significant amount of responsibility on the matter – a responsibility he shouldered well.

10. Permitting the SRIP attorneys to simply use Attorney Rothell as an empty signature is not what happened, and would have been inconsistent with the ultimate mission here.

11. I am confident, after reviewing the time records and interviewing Attorney Rothell about his activity on the matter that he exercised full control over this limited case – especially since any sample or form document provided to him was substantially reviewed and revised by Rothell (or Attorney Green, who provided additional guidance to him) prior to filing.

I declare under perjury that the foregoing is true and correct.

Executed on: January 25, 2023.

/s/ Marc J. Randazza
MARC J. RANDAZZA